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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,290	03/19/2004	Karamadai Srinivasan	100203592-1	7839

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FORT COLLINS, CO 80527-2400

EXAMINER

EHNE, CHARLES

ART UNIT	PAPER NUMBER
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2113

MAIL DATE	DELIVERY MODE
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04/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/804,290		SRINIVASAN ET AL.	
	Examiner		Art Unit	
	Charles Ehne		2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/30/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,2,6-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Applicants admitted Prior art Stedman (6,539,499).

As to claim 1, Stedman discloses a method for providing information for the remote support of one or more devices connected to a computer, comprising:

installing an information harvester and a formatter onto the computer (column 6, lines 52-56);

using the information harvester, identifying and testing the one or more devices and collecting information about the devices and the testing (column 3, lines 29-31 & column 4, lines 3-5);

formatting at least some of the collected information for display to the user and presentation to a support specialist (column 5, lines 34-39 & column 6, lines 1-4);

displaying the formatted information as part of a user display also having provision whereby a user may enter additional comments about device problems into the user display (column 5, lines 37-39 & lines 64-66);

if a user so chooses, collecting any comments that the user provides and sending the combined formatted collected information and the collected user comments to a support specialist by means of a network transport mechanism such as e-mail, TCP, or the like (columns 5-6, lines 64-15).

As to claim 2, Stedman discloses the method of claim 1, wherein the using the information harvester step further comprises:

using an network browser located on the user's computer to run the information harvester as an network browser application (column 3, lines 16-23).

As to claim 6, Stedman discloses the method of claim 1, the sending step further comprising:

sending the collected information from the user's computer to a server (column 6, lines 4-7); and

sending the collected information from the server to the support specialist (column 6, lines 15-20).

As to claim 7, Stedman discloses the method of claim 1, further comprising:

formatting the user display as a document (column 5, lines 37-39); and

if a user so chooses, sending this document to a support specialist as an e-mail attachment (column 6, lines 7-15).

As to claim 8, Stedman discloses the method of claim 7, the sending step further comprising:

sending the e-mail and its attachment from computer to a server (column 6, lines 4-7); and

forwarding the e-mail and its attachment, or sending another e-mail with this same attachment, from the server to the support specialist (column 6, lines 15-20).

As to claim 9, Stedman discloses the method of claim 1, the sending step further comprising:

sending the combined formatted collected information and the collected user comments from the user's computer to a server by means of a network transport mechanism (column 6, lines 1-15); and

sending this same information and comments from the server to the support specialist also by means of a network transport mechanism (column 6, lines 15-20).

As to claim 10, Stedman discloses a system for providing information for the remote support of one or more devices connected to a computer having an operating system, said system comprising:

an information harvester installed on the computer and arranged to identify and test the one or more devices and to collect information about the devices and the testing (column 2, lines 62-66 & column 4, lines 3-5);

a formatter installed on the computer and arranged to reformat the collected information into a format suitable for display to a user and presentation to a support specialist (column 5, lines 34-39 & column 6, lines 1-4);

an network browser installed on the computer that can display network pages (column 3, lines 16-25);

one or more network pages installed on the computer and arranged both to display the reformatted collected information and also to accept additional comments from a user (column 5, lines 64-66); and

a user sender that can, at the option of a user, send one or more network pages, complete with reformatted collected information and any additional comments from a user, to a support specialist by means of a network transport mechanism such as e-mail, TCP, or the like (column 6, lines 1-15).

As to claim 11, Stedman discloses the system of claim 10, wherein the information harvester and formatter are designed so that they may run under the control of the network browser (column 4, lines 36-49).

As to claim 12, Stedman discloses the system of claim 11, wherein the information harvester includes a device enumerator that identifies the devices connected to the user's computer and a device tester that determines whether any given device is working properly, and the information harvester is designed to output a file containing the results of enumeration and testing (columns 3-4, lines 65-5 & column 5, line 11-12 & lines 37-39).

As to claim 14, Stedman discloses a system for providing information for the remote support of one or more devices connected to a computer, said system comprising:

information harvesting means for identifying and testing the one or more devices and for collecting information about the devices and the testing (column 3, lines 29-31 & column 4, lines 3-5);

formatting means for reformatting the information collected by the harvesting means for display to a user and for presentation to a support specialist (column 5, lines 34-39 & column 6, lines 1-4);

an network browser installed on the computer with the capability of displaying network pages (column 3, lines 16-25);

network page display means utilizing the network browser for displaying one or more network pages containing the formatted information, the network pages including user data input means for accepting comments from a user (column 5, lines 64-66); and

user sending means for, at the option of the user, sending the reformatted collected information and any additional comments provided by a user to a support specialist by means of a network transport mechanism such as e-mail, TCP, or the like (column 6, lines 1-15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 3-5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stedman taken in view of Applicants admitted Prior art Klein (6,279,125).

As to claim 3, Stedman discloses a method wherein the using an information harvester step further comprises:

enumerating at least some of the devices connected to the user's computer (column 3, lines 29-31);

testing the enumerated devices (column 4, lines 31-34); and

outputting the results of enumeration and testing to a file (column 5, lines 37-39 & column 6, lines 7-9).

Stedman fails to disclose using the standard APIs of the operating system installed on the computer to execute the enumerating and testing steps.

Klein discloses a system that enables reporting of diagnostic data from a user's computer to a diagnostic technician (Abstract, lines 1-2). Klein does using the standard APIs of the operating system installed on the computer to execute the enumerating and testing steps (column 6, lines 17-20).

It would have been obvious to one of ordinary skill in this art at the time of invention by applicant to include the use of standard APIs of the operating system with the enumerating and testing steps. A person of ordinary skill in this art would have been motivated because the diagnostic software can query the operating system through the APIs to determine the last hardware or software fault, which would be useful in the diagnostic report (Klein: column 6, lines 2-7).

As to claim 4, Stedman discloses the method of claim 3, wherein the formatting, displaying, collecting and sending steps further comprise:

reading the file, formatting at least some of the data it contains, and then displaying the formatted data as part of a document suitable for user display and including at least one text entry window or other user input arrangement into which a user may add additional comments (column 5, lines 37-39 & lines 64-66); and

if the user so chooses, sending this document, complete with any added user comments, to a support specialist (column 6, lines 4-9).

As to claim 5, Stedman discloses the method of claim 4, the sending step further comprising:

sending the collected information from the user's computer to a server (column 6, lines 4-7); and

sending the collected information from the server to the support specialist (column 6, lines 15-20).

As to claim 13, Stedman discloses a system for providing information for the remote support of one or more devices connected to a computer having an operating system (see claim 10 rejection) wherein the information harvester includes a device enumerator that identifies the devices connected to the user's computer and a device tester that determines whether any given device is working properly, and the information harvester is designed to output a file containing the results of enumeration and testing (see claim 12 rejection). Stedman fails to disclose wherein the device enumerator and the device tester both are arranged to use the standard APIs of the operating system.

Klein discloses a system that enables reporting of diagnostic data from a user's computer to a diagnostic technician (Abstract, lines 1-2). Klein does disclose wherein the device enumerator and the device tester both are arranged to use the standard APIs of the operating system (column 6, lines 17-20).

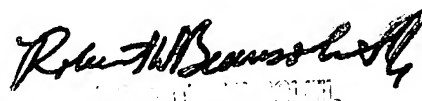
It would have been obvious to one of ordinary skill in this art at the time of invention by applicant to include the use of standard APIs of the operating system with the device enumerator and device tester. A person of ordinary skill in this art would have been motivated because the diagnostic software can query the operating system through the APIs to determine the last hardware or software fault, which would be useful in the diagnostic report (Klein: column 6, lines 2-7).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Ehne whose telephone number is (571)-272-2471. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571)-272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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ART UNIT 2113